

FIRST REGULAR SESSION

# SENATE BILL NO. 640

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time February 28, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2492S.011

## AN ACT

To amend chapter 544, RSMo, by adding thereto one new section relating to no contact orders.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 544, RSMo, is amended by adding thereto one new  
2 section, to be known as section 544.025, to read as follows:

**544.025. 1. When a victim of a sexual offense initially makes a  
2 report of such offense to a law enforcement officer or a prosecuting or  
3 circuit attorney, such law enforcement officer or prosecuting or circuit  
4 attorney shall endeavor to inform the victim that he or she has a right  
5 to request a no contact order be issued against the alleged perpetrator  
6 of the sexual offense and how the victim can obtain such an order.**

**7 2. When a judge issues an arrest warrant for a person alleged to  
8 have committed a sexual offense, regardless of whether or not the  
9 warrant is based on a complaint, indictment, or information, such judge  
10 shall, if it has been requested by the victim or victims, also enter an  
11 order at the same time stating that the defendant shall have no contact  
12 or communication of any kind, direct or indirect, with the alleged  
13 victim or victims. The order shall remain in effect until the criminal  
14 case is concluded. As used in this section, "no contact or  
15 communication of any kind, direct or indirect" includes, but is not  
16 limited to, contact or communication in person, by writing, telephone,  
17 fax, e-mail, or any other type of electronic communication, and includes  
18 contact or communication through a third party or parties, except that  
19 the defendant may communicate through his or her attorney to the  
20 prosecuting or circuit attorney, or if the defendant does not have  
21 counsel, directly to the prosecuting or circuit attorney, any lawful**

22 request or legally necessary information which the prosecuting or  
23 circuit attorney may then relay to the victim, if appropriate.

24 3. The court shall revoke the bond of any defendant who  
25 knowingly violates the no contact or communication provisions of  
26 subsection 2 of this section.

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